

have been amended in order to more particularly point out and distinctly claim that which Applicants regard as the invention. Support for the amended claims can be found generally through Applicants' specification.

Particularity and Distinctiveness of the Claims

The Examiner has rejected claims 29-33 and 67-73 under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter applicant regards as the invention.

Further and in particular, the Examiner rejects Claims 29-31 and 67-72 because Applicants claim nucleic acids that will hybridize under stringent conditions and the Examiner asserts that stringent is a relative terms and is indefinite. Applicants respectfully disagree and submit that stringent conditions are in fact readily understood by the skilled artisan, based on his knowledge and on the teaching in the specification.

The Examiner rejects claim 72 as indefinite and/or confusing in its dependency from claims 67-70 and the further limitation that the nucleic acid is RNA. The Examiner asserts that in as much as claims 67-70 refer to nucleic acids that encodes for all or part of the various encoded variant forms of the receptor, the limitation for RNA contradicts these limitations. Applicants respectfully disagree and submit that RNA is indeed a form of nucleic acid and that RNA, particularly for example messenger RNA, has encoding capacity and is in fact the form of nucleic acid from which polypeptides are translated. When expression is measured as in claims 69 and 70, the skilled artisan is well familiar with and would definitely understand that measuring RNA is a standard and recognized means of determining expression.

The Examiner has rejected claims 30, 67 and 69 as indefinite and/or redundant or confusing in the limitation "wherein the numbering is based on the amino acid sequence of SEQ ID NO:50" because the other prior limitations in the claims refer to specific oligos of specific SEQ ID. Applicants respectfully disagree and also point out that claims 30, 67 and 69 refer with respect to numbering to SEQ ID NO:55 not SEQ ID NO:50 as quoted by the Examiner. SEQ ID NO:55 is referred to in each of claims 30, 67 and 69 to provide a

reference for the amino acid numbering that is recited in the claims. Where amino acids are numbered and noted, the numbering is made with reference to the amino acid numbering shown in SEQ ID NO:55. Where a specific SEQ ID NO: is referred to, as in claim 67, subpart c.ii., for instance, those SEQ ID NOS: are specifically claimed and control for that subpart.

The Examiner has rejected claim 29, specifically 29c, as confusing. Applicants have above amended claim 29 to delete this subpart c, and assert that the Examiners rejection of claim 29 is now moot.

In view of the foregoing amendments and remarks, Applicants submit that the Examiner's rejection under 35 U.S.C. 112, second paragraph is obviated and should be withdrawn.

The Specification Fully Enables the Claimed Invention

The Examiner has rejected claims 29-33 and 67-73 under 35 U.S.C. 112, first paragraph, asserting that the specification, while being enabling for certain variant forms of the OB-R, does not reasonably provide enablement for the full scope of the claims. Applicants respectfully disagree and submit that the above amendments to the claims more particularly point out and claim the methods and oligonucleotides which are clearly enabled for the skilled artisan. The claimed methods are directed to characterization of particular nucleic acid molecules encoding described and enabled leptin receptors. The claimed oligonucleotides are hybridizable under stringent conditions to particular nucleic acid molecules encoding described and enabled leptin receptors.

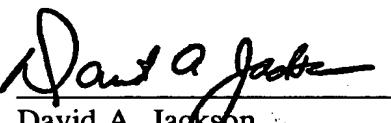
In view of the foregoing remarks and amendments, Applicants submit that the Examiner's rejection under 35 U.S.C. 112, first paragraph may properly be withdrawn.

CONCLUSION

Applicants respectfully request entry of the foregoing amendments and remarks in the file history of the instant Application. The Claims as amended are believed to be in condition for allowance, and reconsideration and withdrawal of all of the outstanding rejections is therefore believed in order. Early and favorable action on the claims is earnestly solicited.



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